

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

In re:	)	
	)	
Tracey Waynette Williams,	)	Case No. 08-81559
	)	
Debtor.	)	
_____	)	
	)	
Tracey Waynette Williams,	)	Adversary Proceeding
	)	Case No. 09-09029
Plaintiff,	)	
	)	
v.	)	
	)	
Nick Gable, and	)	
Interstate Recovery Services,	)	
	)	
Defendants.	)	
_____	)	

**ORDER DISMISSING MOTION FOR DEFAULT JUDGMENT WITHOUT PREJUDICE**

THIS MATTER came before the Court on January 27, 2011 following the Plaintiff's Motion for Default Judgment against Nick Gable and Interstate Recovery Services (the "Defendants"). On August 23, 2010, a copy of the Entry of Default, which was mailed to the Defendants at 7711 Poplar Hill Lane, Clinton, Maryland 20735, was returned to the Court by the U.S. Postal Service. The envelope containing the copy of the Entry of Default indicated that the Defendants no longer resided at the listed address and had not done so since April of 2009. The Plaintiff then filed a Motion for Default Judgment on November 12, 2010.

The facts stated above indicate that the Motion for Default Judgment was not properly served on the Defendants. As a result, the Motion for Default Judgment is DENIED without prejudice.

SO ORDERED.

## SERVICE LIST

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